



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/366,135	08/02/1999	LLOYD A. ADAMS	P/2167-105	2699

7590

10/09/2002

Steven I. Weisburd, Esq.  
Dickstein Shapiro Morin & Oshinsky LLP  
1177 Avenue Of the Americas- 41 floor  
New York, NY 10036-2714

EXAMINER

CHENCINSKI, SIEGFRIED E

ART UNIT

PAPER NUMBER

3628

DATE MAILED: 10/09/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/366,135

Applicant(s)

ADAMS ET AL.

Examiner

Siegfried E Chencinski

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 02 August 1999.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 69-157 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 69-157 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_

## DETAILED ACTION

### *Objections*

#### 1. **Minor Informalities**

a) The Abstract must appear on a separate sheet in a single paragraph of up to 150 words, must stand on its own and must be written in plain English. No other markings are to appear on the sheet the Abstract is printed on. Applicant's Abstract exceeds 150 words and the Abstract page contains extraneous markings such as a page number, line numbers, an applicant file number in the top right and applicant's file date in the lower left. Correction is required. Please see 37 CFR 1.72(b) and MPEP § 608.01(b).

b) The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

#### 2. ***Arrangement of the Specification***

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

(a) TITLE OF THE INVENTION.

(b) CROSS-REFERENCE TO RELATED APPLICATIONS.

(c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.

(d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or

REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a).

"Microfiche Appendices" were accepted by the Office until March 1, 2001.)

(e) BACKGROUND OF THE INVENTION.

(1) Field of the Invention.

(2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.

(f) BRIEF SUMMARY OF THE INVENTION.

(g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).

(h) DETAILED DESCRIPTION OF THE INVENTION.

(i) CLAIM OR CLAIMS (commencing on a separate sheet).

(j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).

(k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A

"Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

**3.**

***Content of Specification***

(a) Title of the Invention: See 37 CFR 1.72(a) and MPEP § 606. The title of the invention should be placed at the top of the first page of the specification unless the title is provided in an application data sheet. The title of the invention should be brief but technically accurate and descriptive, preferably from two to seven words may not contain more than 500 characters.

(b) Cross-References to Related Applications: See 37 CFR 1.78 and MPEP § 201.11.

(c) Statement Regarding Federally Sponsored Research and Development: See MPEP § 310.

(d) Incorporation-By-Reference Of Material Submitted On a Compact Disc:

The specification is required to include an incorporation-by-reference of electronic documents that are to become part of the permanent United States Patent and Trademark Office records in the file of a patent application. See 37 CFR 1.52(e) and MPEP § 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text were permitted as electronic documents on compact discs beginning on September 8, 2000.

Or alternatively, Reference to a "Microfiche Appendix": See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.

(e) Background of the Invention: See MPEP § 608.01(c). The specification should set forth the Background of the Invention in two parts:

- (1) Field of the Invention: A statement of the field of art to which the invention pertains. This statement may include a paraphrasing of the applicable U.S. patent classification definitions of the subject matter of the claimed invention. This item may also be titled "Technical Field."
- (2) Description of the Related Art including information disclosed under 37 CFR 1.97 and 37 CFR 1.98: A description of the related art known to the applicant and including, if applicable, references to specific related art and problems involved in the prior art which are solved by the applicant's invention. This item may also be titled "Background Art."

- (f) Brief Summary of the Invention: See MPEP § 608.01(d). A brief summary or general statement of the invention as set forth in 37 CFR 1.73. The summary is separate and distinct from the abstract and is directed toward the invention rather than the disclosure as a whole. The summary may point out the advantages of the invention or how it solves problems previously existent in the prior art (and preferably indicated in the Background of the Invention). In chemical cases it should point out in general terms the utility of the invention. If possible, the nature and gist of the invention or the inventive concept should be set forth. Objects of the invention should be treated briefly and only to the extent that they contribute to an understanding of the invention.
- (g) Brief Description of the Several Views of the Drawing(s): See MPEP § 608.01(f). A reference to and brief description of the drawing(s) as set forth in 37 CFR 1.74.
- (h) Detailed Description of the Invention: See MPEP § 608.01(g). A description of the preferred embodiment(s) of the invention as required in 37 CFR 1.71. The description should be as short and specific as is necessary to describe the invention adequately and accurately. Where elements or groups of elements, compounds, and processes, which are conventional and generally widely known in the field of the invention described and their exact nature or type is not necessary for an understanding and use of the invention by a person skilled in the art, they should not be described in detail. However, where particularly complicated subject matter is involved or where the elements, compounds, or processes may not be commonly or widely known in the field, the specification should refer to another patent or readily available publication which adequately describes the subject matter.

- (i) Claim or Claims: See 37 CFR 1.75 and MPEP § 608.01(m). The claim or claims must commence on separate sheet (37 CFR 1.52(b)). Where a claim sets forth a plurality of elements or steps, each element or step of the claim should be separated by a line indentation. There may be plural indentations to further segregate subcombinations or related steps. See 37 CFR 1.75 and MPEP § 608.01(i)-(p).
- (j) Abstract of the Disclosure: See MPEP § 608.01(f). A brief narrative of the disclosure as a whole in a single paragraph of 150 words or less commencing on a separate sheet following the claims. In an international application which has entered the national stage (37 CFR 1.491(b)), the applicant need not submit an abstract commencing on a separate sheet if an abstract was published with the international application under PCT Article 21. The abstract that appears on the cover page of the pamphlet published by the International Bureau (IB) of the World Intellectual Property Organization (WIPO) is the abstract that will be used by the USPTO. See MPEP § 1893.03(e).
- (k) Sequence Listing. See 37 CFR 1.821-1.825 and MPEP §§ 2421-2431. The requirement for a sequence listing applies to all sequences disclosed in a given application, whether the sequences are claimed or not. See MPEP § 2421.02.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 69-157 are rejected under 35 U.S.C. 103(a) as being unpatentable over Campbell (US Patent 4,774,664, Sep. 27, 1988) in view of Berger (US Patent 5,850,446 (Dec. 15, 1998).

Re. Claims 69-157, Campbell teaches a computerized system for processing financial transactions, including the following elements:

- Involving a plurality of financial transaction accounting systems (Col. 1, lines 59-65; Col. 2, lines 30-44);
- Using various conventional long distance communications means, such as networks, to receive and transmit data in and out of the central processor (Col. 3, lines 3-37).
- User terminals remotely located from the central processor permitting an operator to enter a group of transaction data sets into a central processor (Col. 2, lines 45-48; lines 57-68);
- Each transaction data set comprising an amount, an account number, a payment reason and payment type and being associated with one of the said financial transaction accounting systems (Col. 2, lines 57-68; Col. 1, lines 63-65);
- Using a central processor to apply each data set to its appropriate place in the financial accounting system, including the general ledger with which it is associated (Col. 1, line 66 through Col. 2, line 2; Col. 2, lines 28-44).
- A plurality of account processors connected to user terminals and a processing server (Col. 3, lines 33-40).
- Using at least one memory having financial transaction software (Col. 1, lines 59-65; Col. 3, lines 40-41).
- Applying a verification routine to determine if data was at least in part correctly entered. (Col. 4, 2-4). Generally Accepted Accounting Principles contain numerous techniques for verifying, auditing, proving out or validating data and cumulations thereof. A manual total of certain cumulations is just one of many acceptable techniques in the accounting practice.



- Campbell does not teach:
- The use of a parsing processor server (Claim 1 and following) to sort individual transaction data sets for the purpose of sending them to the financial transaction accounting system each set is associated with. Campbell also does not teach the use of a breakout processor (Ind. Cl. 101).
- Using web browsing software , (Dep. Cl. 106).
- Displaying an icon (Dep. Cl. 114).
- Electronic Funds Transfer (Dep. Cl. 115).

Berger teaches:

- The use of a parsing processor to sort individual transaction data sets for the purpose of sending them to the financial transaction accounting system each set is associated with (Col. 159, Line 26; lines 61-62; Col. 160, lines 30-31).

Applicant describes the breakout processor as a general purpose processor which he proposes to use in an alternative scheme to perform the function of parsing and of transmitting parsed information to account processors and/or general ledger systems (Page 14, line 15 through Page 15, line 8). This indirectly supports the Microsoft Computer Dictionary (Fifth Edition) in the sense that this dictionary does not have definitions for "parsing processors, parsing processor servers or breakout processors", meaning that these terms are strictly end use terms for general purpose processors, so that these labels describe the software functions of parsing and breakout.

- Using web browsing software (Col. 3, lines 21-23).
- Displaying an icon (Col. 12, lines 21-24).
- Electronic Funds Transfer (Col. 1, lines 16-20).

As such, an ordinary practitioner of the art at the time of the invention would have applied Campbell's teaching with Generally Accepted Accounting Principles for book keeping, report generation, web browsing, using icons in displays and electronic funds transfers with the commonly known functions of parsing and breakout processing for the

Art Unit: 3628

purpose of incorporating applicant's features and techniques of parsing, breakout data transmission, report generation, web browsing, using icons in displays and electronic funds transfers for the purpose of establishing an automated, network based financial transaction system.

The combination of Berger and Campbell also does not teach the techniques of verifying accuracy by comparing manually totaled information with computer totaled information relating to a transmitted batch of information made up of a plurality of transaction (Claim 1 and following), a check writing system (Dep't Claim 119), computer report generation, (Dep't Claim 118), accounts payable system (Dep't Claim 120) and demand deposit account (Dep't Claim 149). Campbell and applicant both state in their specifications that their inventions have primarily been designed for lending institutions (Campbell, Col. 1, lines 6-9; Applicant, Page 1, lines 3-17). Generally Accepted Accounting Principles and accounting systems universally use these features and techniques. As such, an ordinary practitioner of the art at the time of the invention would have combined Campbell and Berger with Generally Accepted Accounting Principles to establish applicant's system to assure valid data entry, produce reports, operate an accounts payable system, and process demand deposit accounts in a financial institution.

Accordingly, it would have been obvious to an ordinary practitioner of the art presented in this application tat the time of the claimed invention to design and operate a system and method for processing financial transactions and offering optional the other optional features cited above, while using a parsing processing server and, optionally, a breakout processor, to process financial transaction data sets related to a plurality of financial transaction accounting systems, receiving such data sets from a plurality of off site user terminals through a variety of public and private networks, including the internet, sending such transaction data sets over a separate variety of public and private networks to the financial transaction accounting system each is associated with, for the purpose of improving the efficiency and quality of financial accounting data processing.

Art Unit: 3628

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Siegfried E Chencinski whose telephone number is 703-305-6199. The examiner can normally be reached 8:00-5:00 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frantzy Poinvil can be reached on 703-305-9779. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-3691 for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

SEC

September 30, 2002

  
**Frantzy Poinvil**

**Primary Examiner**

**Art Unit 3628**